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SENATE BILL 2121 By
McNally

HOUSE BILL 2378
By Winningham

AN ACT to amend Tennessee Code Annotated, Title 49, relative to the enactment of the "Education Reform Act of 2002".

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-1-601, is amended by adding the following new sentence at the end of subsection (e):

The commissioner of education may require schools and school systems to include in their improvement plans strategies to ensure progress toward the goals and requirements established pursuant to this part and to Title 49, Chapter 6, Part 10.

SECTION 2. Tennessee Code Annotated, Section 49-1-602, is amended by deleting subsection (a) in its entirety and substituting the following:

(a) By September 30 of each year, the commissioner shall recommend for approval to the state board a listing of all schools or systems to be placed on notice or probation for failure to make adequate progress in meeting the rules and regulations of the state board or the performance standards authorized by Sections 49-1-209, 49-1-210, and this part. The state board shall review this list and may make such additions or deletions of schools or systems which in the board's judgment have not made adequate progress in meeting its rules or regulations or the performance standards authorized by

Sections 49-1-209, 49-1-210, and this part. The commissioner shall provide to the state board any information which the board may request to facilitate its decision. After completing its review, the state board shall direct the commissioner to place on one (1) year's notice or on probation, as it directs, any schools or systems it deems not making adequate progress in terms of rules, regulations or performance standards.

SECTION 3. Tennessee Code Annotated, Section 49-1-602(c), is amended by adding the following between the fifth and sixth sentences:

If a school is on probation for academic reasons, the commissioner shall require the director of schools and local board of education to allow transfer of students from the school on probation to a school that is not on notice or probation as capacity permits. The local education agency shall take all necessary actions to inform parents of this enrollment option.

SECTION 4. Tennessee Code Annotated, Section 49-1-602(c), is amended by inserting the following three sentences between the present sixth and seventh sentences of the subsection:

If, after two (2) consecutive years, an individual school remains on probation, the commissioner of education shall recommend a plan to the state board to remedy the deficiency of such school. Upon approval of this plan by the state board, it shall be immediately implemented by the director or superintendent. The commissioner shall forward copies of approved plans to the joint oversight committee on education and the office of education accountability in the office of the comptroller.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.